

## Amendment 101

### To the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System

This Amendment 101 to the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System is entered into this 19<sup>th</sup> day of November, 2010, by and between ERG Transit Systems (USA) Inc, a California corporation and wholly owned subsidiary of ERG Limited, an Australian corporation, (hereinafter referred to as the "Contractor") and each of the following seven public transportation agencies (hereinafter referred to individually as an "Agency" or collectively as the "Agencies"):

1. Central Puget Sound Regional Transit Authority ("Sound Transit")
2. King County ("King County")
3. Kitsap County Public Transportation Benefit Area ("Kitsap Transit")
4. Pierce County Public Transportation Benefit Area ("Pierce Transit")
5. Snohomish County Public Transportation Benefit Area ("Community Transit")
6. City of Everett ("Everett")
7. State of Washington, acting through the Washington State Department of Transportation, Washington State Ferries Division ("WSF")

#### Recitals

- A. Effective April 29, 2003, each of the Agencies and the Contractor entered into Contract #229944 ("Contract") to implement a Regional Fare Coordination System ("RFC System") to establish a common fare system utilizing smart card technology. The Contractor is responsible for the development, implementation, operation and maintenance of the RFC System as specified in the Contract.
- B. The Agencies and the Contractor desire to amend Section VI of Exhibit 9, Price Schedule Special Programs, to compensate ERG for performing the work necessary to modify the pole height for 47 Sound Transit (ST) Stand Alone Fare Transaction Processor (SAFTP) poles. This work is performed per ERG -RFI 426 *ST SAFTP Pole Height*.
- C. The parties agree that the work necessary for the pole height modification will be performed and compensated as described below. The Contractor and Sound Transit agree to share the cost of pole modification at 50% each. The Contractor shall be compensated \$116.40 per pole.

## **Section 1.0 Description of Work**

- 1.1 The Contractor will modify the SAFTP pole height by 75mm in order to conform to the Americans with Disabilities Act (ADA). This modification brings the pole height into conformance with SEA-01055 Stand Alone Fare Transaction Processor (DR 106A) – Hardware Specification v4.0.
- 1.2 The Contractor will modify 47 SAFTP poles at the Sounder and Link Stations as identified by Sound Transit.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Contract as follows:

## **Section 2.0 Compensation Changes**

Section VI (Implementation) of Exhibit 9, Price Schedule, is hereby amended to read as follows:

## **VI. IMPLEMENTATION**

### **SPECIAL PROGRAMS**

Amendment No. 101

LUMP SUM COST
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To modify the height of 47 ST SAFTP poles @ \$116.40 per pole.	
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<b>TOTAL</b>	<b>\$5471</b>
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### Section 3.0 Other Terms and Conditions

All other provisions of the Contract not referenced in this Amendment One Hundred and One shall remain in effect.

IN WITNESS WHEREOF, authorized representative of the Agencies and the Contractor have signed their names in the spaces provided below.

ERG Transit Systems (USA) Inc.

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

The Agencies

By: Candace Carlson  
Their: ORCA Operations Manager  
On behalf of the Agencies  
Date: November 19, 2010

Signed by ERG Transit Systems (USA) Inc by its attorney Elaine Augur pursuant to Power of Attorney dated 18 June 2010:

  
Elaine Augur

11/18/10  
Date

In the presence of:

  
Witness Signature

11/18/10  
Date

Witness name: Patty Hazard